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8 **United States District Court**
9 **Central District of California**

10 TERESA MCCLENDON,
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12 Plaintiff,

13 v.

14 ALS aka ASSOCIATION LIEN
15 SERVICES, a California Corporation;
16 PARK HOMES AND THE LOFTS
17 COMMUNITY ASSOCIATION; and
18 DOES 1–10, inclusive,
19 Defendants.

Case № 2:16-cv-01690-ODW-PLA

**ORDER DENYING PLAINTIFF'S
REQUEST FOR EXTENSION OF
TIME TO SERVE DEFENDANT
PARK HOMES AND THE LOFTS
COMMUNITY ASSOCIATION [20]**

19 Plaintiff Teresa McClendon, who is appearing pro se, requests an extension of
20 time in which to serve Defendant Park Homes and the Lofts Community Association.
21 (ECF No. 20 (“Req.”).) Since the date of that filing, more than 60 days have passed
22 without service being effected on Park Homes. Federal Rule of Civil Procedure
23 (“FRCP”) 4(m) provides that a defendant must be served within 90 days after the
24 Complaint is filed. As to Defendant ALS, Plaintiff complied with this Rule by
25 effecting service of process on March 24, 2016. (See ECF Nos. 10, 11.) In order to
26 comply with FRCP 4(m), Defendant Park Homes should have been served no later
27 than July 9, 2016, but service of process has not been completed.

28 On May 2, 2016, Plaintiff requested that this Court issue an order allowing her

1 to serve Defendant Park Homes by publication. (Req. for Order to Serve Def. by
2 Publication, ECF No. 14.) The Court denied this request, concluding that Plaintiff had
3 not shown “reasonable diligence” in using other methods to effect service of process
4 upon Park Homes. (Order Denying Pl. Req. for Order Authorizing Service by
5 Publication, ECF No. 17). Since that time, up to and including the time since
6 requesting an extension for serving Park Homes, Plaintiff has not provided any
7 evidence that she has taken any additional efforts to locate Park Homes, or that all
8 possible means of effecting traditional service of process have been exhausted.

9 For the reasons discussed above, the Court **DENIES** Plaintiff’s Request for an
10 extension to serve Defendant Park Homes and the Lofts Community Association.
11 (ECF No. 20.) Further, since Plaintiff has failed to properly serve this Defendant, the
12 case is **DISMISSED** as to Defendant Park Homes and the Lofts Community
13 Association without prejudice.

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15 **IT IS SO ORDERED.**

16
17 September 16, 2016

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20 **OTIS D. WRIGHT, II**
21 **UNITED STATES DISTRICT JUDGE**
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